

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEITH MOYE, Petitioner,	:	CIVIL CASE NO. 13-4011	FILED
v.	:		JAN 10 2014
MICHAEL WENEROWICZ, et al. Respondents.	:		MICHAEL E. KUNZ, Clerk By _____ Dep. Clerk
	:		

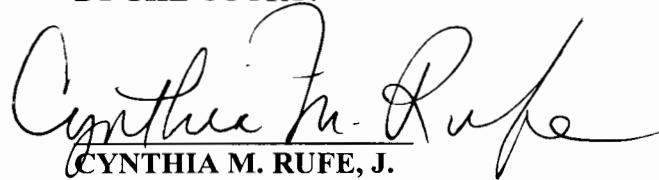
ORDER

AND NOW, this 9th day of January 2014, upon consideration of the Petition for Writ of Habeas Corpus, the Commonwealth's response, inclusive of all exhibits thereto, the other documents filed by the parties, and after review of the Report and Recommendation of Chief United States Magistrate Judge Carol Sandra Moore Wells, to which no objection has been made, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Petition for a Writ of Habeas Corpus is DISMISSED, without prejudice, for failure to exhaust state court remedies;
3. Petitioner has neither shown a denial of a federal constitutional right, nor established that reasonable jurists would disagree with this court's disposition of his claims on procedural grounds. Consequently, a certificate of appealability is DENIED; and
4. The Clerk of the Court is DIRECTED to CLOSE this case.

IT IS SO ORDERED.

BY THE COURT:


CYNTHIA M. RUFÉ, J.